Serial No. 10/541,764
Office Action Date: July 17, 2009

Customer No. 24498
Attorney Docket No. PU030016

Remarks/Arguments

In the non-final Office Action dated July 17, 2009, it is noted that claims 1-3 and 7-9 are pending; that claims 1-3, 7 and 9 stand rejected under 35 U.S.C. §102; that claim 8 stands rejected under 35 U.S.C. §103.

Cited Art

The following references have been cited and applied as prior art in the present Office Action: U.S. Patent Application Publication No. 2003/0002540 to Eerenberg (hereinafter referenced as *"Eerenberg"*); U.S. Patent 7,120,092 to del Prado Pavon (hereinafter referenced as *"del Prado Pavon"*); and U.S. Patent Application Publication No. 2005/0020226 to Mohindra (hereinafter referenced as *"Mohindra"*).

Rejection Of Claims 1-3, 7, and 9 Under 35 U.S.C. §102

Claims 1-3, 7, and 9 stand rejected under 35 U.S.C. §102 as being anticipated by Eerenberg. This rejection is respectfully traversed.

Claims 1, 7, and 9 are independent claims. Claim 2 depends directly from claim 1. Claims 7 and 9, are different from claim 1, however the remarks below should be applied to claims 7 and 9 based in each claim's individual interpretation without further repetition.

Claim 1 calls for:

> *An apparatus for wirelessly transmitting and receiving digital video data, comprising:*
> *a means for receiving a time stamp indicating a time of a video transmission;*
> *a means for determining a relative time difference between the time stamp and a previous time stamp;*
> **a means for communicating the relative time difference to a transmitter having as one feature of transmission a time base;**
> **a means for the transmitter to adjust the time base according to the relative time difference.** [Emphasis supplied].

None of the limitations emphasized in bold type above are taught or shown by Eerenberg.

Eerenberg appears to teach a transmitter and receiver arrangement wherein the transmitter sends transport stream video packets to the receiver. *See Eerenberg at Figure 1.* Prior to decoding the video packets, the receiver appears to determine a time difference between consecutive packet time stamps in the TS regenerating means. *See Eerenberg at Figures 1 and 3 and paragraphs [0008] and [0026].* Eerenberg then appears to teach that the

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clock frequency at the receiver is then influenced in some manner by the calculated time difference between consecutive time stamps. *Ibid.* Eerenberg clearly states that these actions are performed at the receiver to guarantee a high degree of correctness of the transmission time stamps so that, at the receiver end, the transmission time stamps refer to the correct transport stream packet. *See Eerenberg at paragraphs [0014] and [0016].*

According to all the description and drawings in Eerenberg, the "time difference is calculated in a time base regenerator 18, which is coupled to the TS demultiplexer 17, and this time difference is being used to drive the clock generator 16 at its frequency control input 19." *See Eerenberg at paragraph [0026] and Figure 3.* All these elements recited for time difference calculation are unmistakably resident in Eerenberg's receiver 4. It is this receiver 4 that receives the time stamps, calculates the time difference, and uses or consumes that time difference to adjust the clock generator 16 "such that its frequency closely matches the frequency of the clock signal CLK in transmitter 2." *Ibid.* The time difference between time stamps is not communicated beyond the receiver 4 of Eerenberg. In fact, when clock sync is achieved in Eerenberg's receiver, it is only the transport stream that is communicated to the decoder, which is still within the receiver 4, for decoding and presentation of the MPEG video data. Thus, it is apparent that Eerenberg receives time stamps in his receiver 4, calculates a time difference between time stamps in that same receiver 4, and adjusts his clock based on the calculated time difference in that same receiver 4. All time stamp based operations take place in receiver 4 and nowhere else in Eerenberg's system.

Eerenberg does not show any time difference calculation between consecutive time stamps anywhere in his transmitter 2. Eerenberg's transmitter 2 merely generates time stamps and inserts time stamps into the transport stream. *See Eerenberg at paragraph [0023].* Nowhere does Eerenberg teach, show, or suggest that the transmitter 2 should perform any operation involving a difference between a time stamp and a prior time stamp. That operation appears to be reserved by Eerenberg for performance in the receiver 4 alone.

Eerenberg fails to teach, show, or suggest the limitation of "communicating the relative time difference to a transmitter having as one feature of transmission a time base," as recited in claims 1, 7, and 9. Eerenberg does not communicate or transmit the time stamp difference anywhere within his system outside of the receiver 4. The time stamp difference is used only by the receiver in which it was computed. The claimed operation would require that the

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relative time difference be communicated to an entity different from, or beyond, the entity in which it was calculated. From this analysis, it is only possible to conclude that Eerenberg does not teach the claimed limitation of "communicating the relative time difference to a transmitter having as one feature of transmission a time base," as recited in claims 1, 7, and 9.

Claim 7 not only requires the communication of the relative time difference to a transmitter, as discussed above, but it also requires that the time difference be transmitted to one or more wireless station receivers. Obviously, the one or more wireless station receivers mentioned in this claim are entities that are different from the transmitter defined in the claim. Since Eerenberg does not teach the communication or transmission of the calculated time difference to any part of his transmitter-receiver system, it is clear that Eerenberg does not teach the limitation of "transmitting the relative time difference to one or more wireless station receivers," as recited in claim 7.

Eerenberg fails to teach, show, or suggest the limitation of "a means for the transmitter to adjust the time base according to the relative time difference," as recited in claim 1 and as recited in a substantially similar manner in claim 9. Eerenberg fails to teach, show, or suggest the limitation of "each of the one or more wireless station receivers adjusts the time base according to the relative time difference," as recited in claim 7. Eerenberg does not communicate or transmit the time stamp difference anywhere within his system outside of the receiver 4. There is no clock adjustment based on the time difference performed in Eerenberg downstream of the receiver 4. Contrary to the claimed limitations, the clock adjustment in Eerenberg is performed in the same element in which the time stamp difference is calculated, namely, receiver 4. The claimed operation requires that the adjustment of the time base is performed in the transmitter (or wireless receiver) to which the relative time difference is communicated. In other words, the time difference calculation and the time base adjustment take place in different elements by virtue of the communication operation found in claims 1, 7, and 9 and by virtue of the additional transmission operation in claim 7. From this analysis, it is only possible to conclude that Eerenberg does not teach the claimed limitation concerning time base adjustment recited in claims 1, 7, and 9.

In light of the remarks above, it is believed that claims 1-3, 7, and 9 are not anticipated by Eerenberg and that claims 1-3, 7, and 9 would not have been obvious to a person skilled in the art upon a reading of Eerenberg. Therefore, it is submitted that claims 1-3, 7, and 9 are

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allowable under both 35 U.S.C. §102 and 35 U.S.C. §103.   Withdrawal of this rejection is
respectfully requested.

Rejection Of Claim 8 Under 35 U.S.C. §103

Claim 8 stands rejected under 35 U.S.C. §103 as being unpatentable over Eerenberg in
view of del Prado Pavon and further in view of Mohindra.   This rejection is respectfully
traversed.

At the top of page 5 in the present Office Action, reference is made to the Bove
reference. Bove was not applied formally to any claim in the present Office Action. Contrary
to the assertion on Page 5 of this Office Action, Bove was not applied in any manner to claim 7.
It is believed that the reference to Bove in this Office Action has been made in error. The
remarks below will ignore the mention of Bove since no correspondence is offered between the
teachings of Bove and claims 7 and 8 and because no prima facie case of obviousness has been
established for the Bove reference.

Claim 8 is dependent from independent claim 7 and includes all the limitations thereof.
The allowability of claim 7 has been discussed above with respect to the Eerenberg reference.

del Prado Pavon appears to be related to clock synchronization in wireless networks.
But del Prado Pavon does not cure the defects in the teachings of Eerenberg because del Prado
Pavon does not communicate the relative time difference to a transmitter, del Prado Pavon does
not transmit the relative time difference to one or more wireless station receivers, and del Prado
Pavon does not adjust the time base in each of the one or more wireless station receivers
according to the relative time difference, as defined in independent base claim 7.

Mohindra also fails to cure the deficiencies in Eerenberg and del Prado Pavon with
respect to the independent base claim. Mohindra appears to be related to cancellation of DC
offsets in a high speed communication system. Similar to del Prado Pavon, Mohindra does not
communicate the relative time difference to a transmitter, Mohindra does not transmit the
relative time difference to one or more wireless station receivers, and Mohindra does not adjust
the time base in each of the one or more wireless station receivers, as defined in independent
base claim 7.

In light of the remarks above and for all the reasons given with respect to the
independent claims and particularly base independent claim 7 above, it is believed that claim 8

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would not have been obvious to a person skilled in the art upon a reading of Eerenberg, del Prado Pavon, and Mohindra, either separately or combination. Therefore it is submitted that claim 8 is allowable under 35 U.S.C. §103. Withdrawal of this rejection is respectfully requested.
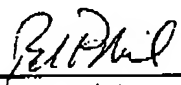
Conclusion

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner contact the Applicants' attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled for resolving such issues as expeditiously as possible.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 07-0832.

Respectfully submitted,
John Alan Gervais et al.

By: Paul P. Kiel
Attorney for Applicant
Registration No. 40,677

Patent Operations
THOMSON
PO Box 5312
Princeton, NJ 08543-5312

Date: 9/28/09

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